

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GREGORY B. ADAMS SR.,

Plaintiff,

vs.

STATE OF NEBRASKA, CITY OF
LINCOLN, LINCOLN POLICE
DEPARTMENT, LANCASTER
COUNTY COURT, and CITY OF
LINCOLN CITY ATTORNEY'S,

Defendants.

4:19CV3083

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. Plaintiff filed a Complaint ([filing no. 1](#)) on August 19, 2019. However, Plaintiff failed to include the \$400.00 filing and administrative fees. On August 23, 2019, the court directed Plaintiff to either submit the \$400.00 filing and administrative fees to the clerk's office or submit a request to proceed in forma pauperis ("IFP") and advised Plaintiff that failure to take either action within 30 days would result in the court dismissing this case without further notice to Plaintiff. ([Filing No. 4.](#)) The court's order was subsequently returned to the court as undeliverable, and the court ordered Plaintiff to update his address with the court by October 11, 2019, or this matter would be dismissed. ([Filing No. 6.](#)) On October 15, 2019, Plaintiff filed a Notice of Change of Address indicating that his address was the same as the address already on file with the court. ([Filing No. 7.](#)) However, Plaintiff has not paid the \$400.00 filing and administrative fees or submitted a request to proceed IFP, and the court cannot ascertain whether Plaintiff ever received notice of the requirement to do so. Accordingly, and out of an abundance of caution,

IT IS ORDERED that:

1. Plaintiff shall have until **November 5, 2019**, to submit the \$400.00 fees to the clerk's office or submit a request to proceed in forma pauperis. Failure to take either action will result in dismissal of this matter without further notice.

2. The clerk of the court is directed to send to Plaintiff the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").

3. The clerk of the court is directed to set a pro se case management deadline in this matter with the following text: **November 5, 2019**: Check for MIFP or payment.

Dated this 16th day of October, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge